

**UNITED STATE DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

TQP DEVELOPMENT, LLC

Plaintiff,

v.

DELL, INC., et al.

Defendants.

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Civil Action No. 2:10-CV-446-TJW

NOTICE OF VOLUNTARY DISMISSAL OF LOWE'S COMPANIES, INC.

Please take notice that, pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i), Plaintiff TQP Development, LLC voluntarily dismisses Defendant Lowe's Companies, Inc. without prejudice, the opposing party having served neither an answer nor a motion for summary judgment.

Dated: January 27, 2011

Respectfully submitted,

By: /s/ Andrew W. Spangler

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LOCAL ATTORNEY FOR TQP
DEVELOPMENT, LLC

CERTIFICATE OF SERVICE

I hereby certify that counsel of record who are deemed to have consented to electronic service are being served this 27th day of January, 2011, with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3). Any other counsel of record will be served by electronic mail, facsimile transmission and/or first class mail on this same date.

/s/ Andrew W. Spangler

Andrew W. Spangler